

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re GRAND JURY  
INVESTIGATION 07-01

No. 07-167M

In re Material Witness:

DETENTION ORDER  
Material Witness

BO IK CHO

Charge: Material Witness

Date of Detention Hearing: April 9, 2007

The Court, having conducted an uncontested detention hearing pursuant to 18 U.S.C. §§ 3142(f) and 3144, and based upon the factual findings and statement of reasons hereafter set forth, finds that detention is necessary to adequately secure the testimony of the material witness, and to prevent a failure of justice.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Bo Ik Cho was arrested on a material witness warrant in a matter currently pending before the grand jury, upon a finding that he had material evidence to provide and that it was impracticable to secure his presence by subpoena. He made his initial appearance in this Court on April 4, 2007..

(2) The United States has moved to detain Mr. Cho pursuant to 18 U.S.C. § 3144 pending her appearance before the grand jury.

(3) There is an immigration detainer lodged against the witness.

01 (4) Defendant has stipulated to detention, but reserves the right to contest his  
02 continued detention if there is a change in circumstances.

03 (5) The material witness is viewed as a risk of nonappearance based on his  
04 unknown background information and lack of information about any ties to this community  
05 or to the Western District of Washington.

06 It is therefore ORDERED:

07 (1) The material witness shall be detained pending the taking of his testimony and  
08 committed to the custody of the Attorney General for confinement in a  
09 corrections facility separate, to the extent practicable, from persons awaiting or  
10 serving sentences, or being held in custody pending appeal;

11 (2) The material witness shall be afforded reasonable opportunity for private  
12 consultation with counsel;

13 (3) On order of a court of the United States or on request of an attorney for the  
14 government, the person in charge of the corrections facility in which material  
15 witness is confined shall deliver the material witness to a United States  
16 Marshal for the purpose of an appearance in connection with a court  
17 proceeding or for providing testimony in connection with a case pending in  
18 this Court; and

19 (4) The Clerk shall direct copies of this Order to counsel for the United States,  
20 counsel for the material witness, the United States Marshal, and the United  
21 States Pretrial Services Officer.

22 DATED this 9<sup>th</sup> day of April, 2007.

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24 MONICA J. BENTON  
25 United States Magistrate Judge  
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